## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SHELDON MILLER, on Behalf of Himself and All:

Others Similarly Situated,

Himself and All : ECF CASE : Civil Action

Civil Action No.: 08 CIV 3756

Plaintiff,

**CLASS ACTION** 

VS.

CALAMOS GLOBAL DYNAMIC INCOME FUND, WACHOVIA CAPITAL MARKETS, LLC and CITIGROUP GLOBAL MARKETS INC.,

Defendants.

NOTICE OF MOTION TO ADMIT

COUNSEL PRO HAC VICE

PLEASE TAKE NOTICE THAT, upon the Affidavit of Robert J. Ward

and the proposed order herein, the undersigned will move this Court before the Honorable Alvin K. Hellerstein, U.S.D.J., at the United States Courthouse located at 500 Pearl Street, New York, New York, a date and time to be specified by the Court, for an Order admitting John W. Rotunno to appear in the above-captioned action *pro hac vice* on behalf of Defendant Calamos Global Dynamic Income Fund.

Dated: May 16, 2008

New York, New York

SCHULTE ROTH & ZABEL LLP

- / 0

Robert J, W

919 Third Avenue

New York, New York 10022

robert.ward@srz.com

(212) 756-2000 (telephone)

(212) 593-5955 (facsimile)

Attorneys for Defendant Calamos Global Dynamic Income Fund TO: COUGHLIN STOIA GELLER RUDMAN & ROBBINS LLP 58 South Service Road, Suite 200 Melville, NY 11747 (631) 367-7100

Attention: Samuel H. Rudman, Esq.

David A. Rosenfeld, Esq.

COUGHLIN STOIA GELLER RUDMAN & ROBBINS LLP 655 West Broadway, Suite 1900 San Diego, CA 92101 (619) 231-1058

Attention: Darren J. Robbins, Esq.

David C. Walton, Esq.

ABRAHAM FRUCHTER & TWERSKY LLP One Pennsylvania Plaza, Suite 2805 New York, NY 10119 (212) 279-5050

Attention: Jack G. Fruchter, Esq.

Jeffrey S. Abraham, Esq.

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP 1285 Avenue of the Americas New York, NY 10019 (212) 373-3000

Attention: Susanna M. Buergel, Esq.

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SHELDON MILLER, on Behalf of Himself and All: ECF CASE Others Similarly Situated,

Civil Action No.: 08 CIV 3756 Plaintiff,

**CLASS ACTION** 

VS.

CALAMOS GLOBAL DYNAMIC INCOME : MOTION TO ADMIT COUNSEL FUND, WACHOVIA CAPITAL MARKETS, LLC : PRO HAC VICE and CITIGROUP GLOBAL MARKETS INC.,

Defendants.

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Robert J. Ward, a member in good standing of the bar of the Court, hereby move for an Order allowing the admission pro hac vice of:

> John W. Rotunno Bell, Boyd & Lloyd LLP 70 W. Madison Street, Suite 3100 Chicago, IL 60602-4207 Phone: (312) 807-4213

Email: JRotunno@bellboyd.com

John W. Rotunno is a member in good standing of the bar of the state of Illinois. There are no pending disciplinary proceedings against John W. Rotunno in any State or Federal Court.

Dated: May 16, 2008

New York, New York

SCHULTE ROTH & ZABEL LLP

Robert J. Wa

919 Third Avenue New York, New York 10022

robert.ward@srz.com (212) 756-2000 (telephone)

(212) 593-5955 (facsimile)

Attorneys for Defendant CALAMOS GLOBAL DYNAMIC INCOME FUND

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	
SHELDON MILLER, on Behalf of Himself and All Others Similarly Situated,	x : ECF CASE : Civil Action No.: 08 CIV 3756
Plaintiff,	: <u>CLASS ACTION</u>
VS.	:
CALAMOS GLOBAL DYNAMIC INCOME FUND, WACHOVIA CAPITAL MARKETS, LLC and CITIGROUP GLOBAL MARKETS INC.,	: AFFIDAVIT OF ROBERT J. WARD IN : SUPPORT OF MOTION TO ADMIT : COUNSEL <i>PRO HAC VICE</i>
Defendants.	: X
STATE OF NEW YORK )	_
COUNTY OF NEW YORK ) ss.:	•

Robert J. Ward, being duly sworn, hereby deposes and says as follows:

- 1. I am a member of the firm of Schulte Roth & Zabel LLP, counsel for Defendant Calamos Global Dynamic Income Fund ("Calamos") in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set further herein and in support of the Calamos Defendant's motion to admit John W. Rotunno as counsel *pro hac vice* to represent the Calamos Defendant in this matter.
- 2. I am a member in good standing of the bar of the state of New York, and was admitted to practice law in 1978. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
- 3. Mr. Rotunno is an attorney at Bell, Boyd & Lloyd LLP, 70 W. Madison Street, Suite 3100, Chicago, IL 60602-4207.
- 4. I have found Mr. Rotunno to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
- 5. Accordingly, I am pleased to move for the admission of John W. Rotunno, *pro hac vice*.
- 6. In support of this motion, I submit a Certificate of Good Standing of John W. Rotunno, which is attached as Exhibit A.
- 7. I respectfully submit a proposed order granting the admission of John W. Rotunno, *pro hac vice*, which is attached as Exhibit B.

WHEREFORE it is respectfully requested that the motion to admit John W. Rotunno, pro hac vice, to represent the Calamos Defendant in the above captioned matter, be granted.

Dated: May 16, 2008 New York, New York

Respectfully submitted,

Sworn to before me the 16 day of May

## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

John William Edward Rotunno

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on October 28, 1976 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto placed my hand and affixed the seal of said Supreme Court, at Springfield, in said State, this Tuesday, April 29, 2008.

Juleann Hornyak

Clerk

UNITED STATES DISTRICT COURT	
SOUTHERN DISTRICT OF NEW YOR	K

SHELDON MILLER, on Behalf of Himself and All: ECF CASE

Others Similarly Situated,

Plaintiff,

: Civil Action No.: 08 CIV 3756

CLASS ACTION

VS.

CALAMOS GLOBAL DYNAMIC INCOME FUND, WACHOVIA CAPITAL MARKETS, LLC and CITIGROUP GLOBAL MARKETS INC.,

Defendants.

ORDER FOR ADMISSION PRO HAC **VICE ON WRITTEN MOTION** 

Upon the motion of Robert J. Ward, attorney for Defendant Calamos Global Dynamic Income Fund in the above captioned action, and said sponsor attorney's affidavit of support:

## IT IS HEREBY ORDERED that

John W. Rotunno Bell, Boyd & Lloyd LLP 70 W. Madison Street, Suite 3100 Chicago, IL 60602-4207 Phone: (312) 807-4213

Email: JRotunno@bellboyd.com

is admitted to practice pro hac vice as counsel for Defendant Calamos Global Dynamic Income Fund in the above captioned action in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the

Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at <a href="https://www.nysd.uscourts.gov">www.nysd.uscourts.gov</a>. Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

Dated:

New York, New York

United States District Judge

SOUTHERN DISTRICT OF NEW YORK	Y
SHELDON MILLER, on Behalf of Himself and All Others Similarly Situated,	
Plaintiff,	· :
vs. CALAMOS GLOBAL DYNAMIC INCOME FUND, WACHOVIA CAPITAL MARKET, LLC	: AFFIDAVIT OF SERVICE : BY FEDERAL EXPRESS :
And CITIGROUP GLOBAL MARKETS INC.,  Defendants.	: : : X
STATE OF NEW YORK )  SS.:  COUNTY OF NEW YORK )	

JEANETTE ARIOLA, being duly sworn, deposes and states:

I am not a party to this proceeding, am over 18 years of age and employed by Schulte Roth & Zabel LLP.

On May 19, 2008, deponent served the Notice of Motion to Admit Counsel Pro Hac Vice, Motion to Admit Counsel Pro Hac Vice and Affidavit of Robert J. Ward in Support of Motion to Admit Counsel Pro Hac Vice, upon the following at the addresses designated for that purpose:

Samuel H. Rudman, Esq. David A. Rosenfeld, Esq. Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, New York 17747

Jack G. Fruchter, Esq. Jeffrey S. Abraham, Esq. Abraham Fruchter & Twersky LLP One Pennsylvania Plaza, Suite 2805 New York, NY 10119 Darren J. Robbins, Esq. David C. Walton, Esq. Coughlin Stoia Geller Rudman & Robbins LLP 655 West Broadway, Suite 1900 San Diego, CA 92101

Susanna M. Buergel, Esq. Paul, Weiss, Rifkind Wharton & Garrison LLP 1285 Avenue of the Americas New York, NY 10019 Said service was made by delivering true copies of said documents enclosed in post-paid Federal Express envelopes, properly addressed to the above-named to Federal Express for overnight delivery.

JEANETTE ARIOLA

Sworn to before me this 19th day of May, 2008.

Marcella J. Richardian Notary Public

MARCELLA J. RICHARDSON Notary Public, State of New York No. 01RI5063036 Qualified in Queens County Certificate Filed in New York County Commission Expires July 15, 2010